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 CALIFORNIA STATE EMPLOYEES
 8 ASSOCIATION

9 UNITED STATES DISTRICT COURT
 10 EASTERN DISTRICT OF CALIFORNIA

DOWNEY BRAND LLP

12 CALIFORNIA STATE EMPLOYEES
 13 ASSOCIATION,
 14 Plaintiff,
 15 v.
 16 RICHARD BOGART and DOES 1 through
 25, inclusive,
 17 Defendant.

Case No. 2:14-CV-02494-JAM-KJN

**STIPULATION AND ORDER TO FILE
 AMENDED ANSWERS TO COMPLAINT
 AND FIRST AMENDED CROSS-
 COMPLAINT**

18 RICHARD BOGART,
 19 Counter-Plaintiff,
 20 v.
 21 CALIFORNIA STATE EMPLOYEES
 22 ASSOCIATION,
 23 Counter-Defendant.

24
 25 The parties, by and through their respective counsel, hereby agree and jointly stipulate
 26 pursuant to Federal Rule of Civil Procedure 15(a) to allow Plaintiff and Counter-defendant
 27 California State Employees Association (“CSEA”) to file an Amended Answer to Defendant and
 28

1 Counterclaimant Richard Bogart’s (“Counterclaimant”) First Amended Cross-Complaint and to
2 allow Counterclaimant to file an Amended Answer to CSEA’s Complaint, as follows:

3 **RECITALS**

4 A. WHEREAS, Counterclaimant filed his Answer to CSEA’s Complaint on or about
5 October 22, 2014 and CSEA filed its Answer to Defendant and Counter-Plaintiff Richard
6 Bogart’s First Amended Cross-Complaint on or about March 16, 2015; and

7 B. WHEREAS, both parties now seek to file Amended Answers to the operative
8 Complaint and Cross-Complaint (“Amended Answer”), copies of which are attached hereto as
9 Exhibits A and B, respectively; and

10 C. WHEREAS, both parties have agreed to the other’s request for a stipulation to file
11 the attached Amended Answers; and

12 D. WHEREAS, by stipulating to the filing of the Amended Answers, neither party
13 waives its right to challenge the new affirmative defenses in the Amended Answers by any
14 permissible means.

15 **STIPULATION**

16 NOW THEREFORE, in light of the foregoing recitals, IT IS HEREBY STIPULATED by
17 and between CSEA and Counterclaimant, by and through their respective counsel, that CSEA and
18 Counterclaimant may file the Amended Answers attached hereto as Exhibits A and B.

19 DATED: December 8, 2015 DOWNEY BRAND LLP

20
21 By: /s/ William R. Warne

22 WILLIAM R. WARNE
23 KELLY L. POPE
24 AVALON C. JOHNSON
25 Attorney for Plaintiff
26 CALIFORNIA STATE EMPLOYEES
27 ASSOCIATION
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DOWNEY BRAND LLP

DATED: December 7, 2015

KENNADAY, LEAVITT & DAPONDE PC

By: /s/ Kelli Kennaday

KELLI KENNADAY
Attorney for Defendant
RICHARD G. BOGART

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 12/9/2015

/s/ John A. Mendez
Hon. John A. Mendez
United States District Judge